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### Declaration and Power of Attorney For Patent Application

#### 特許出願宣言書及び委任状

#### Japanese Language Declaration

#### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書笛、国籍は下記の私の氏名の後に記載され た通りです。 My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出題している発明内容について、私が最初かつ唯一の発明者(下記の氏名が一つの場合)もしくは最初かつ共同発明者であると(下記の名称が複数の場合)信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL SCANNING OBSERVATION APPARATUS

上記発明の明細書(下記の欄でx印がついていない場合は、本当に系付)は、

the specification of which is attached hereto unless the following box is checked:

□ \_\_月\_日に提出され、米国出頭番号または特許協定条約 国際出頭番号を\_\_\_\_\_とし、 (返当する場合) \_\_\_\_\_\_ に訂正されました。 was filed on
as United States Application Number or
PCT International Application Number
and was amended on
(if applicable).

利は、特許国求範囲を含む上記訂正役の明細書を検討し、 内容を理解していることをここに表明します。 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amanded by any amendment referred to above.

私は、運邦規則法典第37屆第1条56項に定義されると おり、特許資格の有無について重要な情報を開示する契務が あることを認めます。 I acknowledge the duty to disclose information which is material to patentability as defined in Title 37. Code of Federal Regulations. Section 1.58.

Page 1 of 5

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#### Japanese Language Declaration

(日本語宣言書)

私は、米国法典第35欄119条(a)-(d) 項又は365条(b) 項に基さ下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a) 項に基ずく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 355(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

Prior Foreign Application(s)

外属での先行出版 2001-335035 JAPAN (Number) (Country) (番号) (国名) 2002-137677 JAPAN (Number) (Country) (番号) (国名)

X See attached list for additional prior foreign applications

私は、第35編米国法典1-19条(e)項に基いて下記の米 \*国特許出願規定に記載された権利をここに主張いたします。

I hereby claim the benefit under Title 35. United States Code.

Section 119(e) of any United States provisional application(s) listed below.

(Application No ) (Filing Date) (出顧各号) (出顧日)

(Application No.) (Filing Date) (出額日)

私は、下記の米国法與第35編120条に基いて下記の米 国特許出願に記載された権利。又は米国を指定している特許 協力条約365条(c)に基ずく権利をここに主張します。ま た、本出額の各請求範囲の内容が米国法典第35編112条 第1項又は特許協力条約で規定された方法で先行する米国特 許出額に開示されていない限り、その先行米国出願曹提出日 以降で本出願書の日本国内または特許協力条約国際提出日ま ての期間中に人手された、連邦規則法典第37編1条56項 で定義された特許資格の有無に関する重要な情報について開 示義務があることを認識しています。 I hereby claim the benefit under Title 35. United States Code. Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37. Code of Federal Regulations. Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.) (出稿器号)	(Filing Date) (出類日)	(Status: Patented, Pending, Abandoned) (現況:特許許可济、保属中、放棄済)
(出顧器号)	(出資日)	(現況: 特許許可済、係属中、放棄済)
(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
PCT/JP02/11283	30/10/2002	pending

記は、私自身の知識に基ずいて本宣言瞥中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基すく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基ずさ、罰金または拘禁、もしくはその周方により処罰されること、そしてそのような故意による、定偽ので門を行なえば、出願した、又は既に許可された特許の有功性が失われることを認識し、よってここに上記のことく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# List for additional prior foreign applications

			Priority ( 優先権の主張	
2002–293959	JAPAN	7/10/2002	$\mathbf{x}$	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)		No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)		bbz
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)	ដូរ	ppi
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)		hhż
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(图名)	(出願年月日)		ppi
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)		No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)	∦\\	phi
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(国名)	(出願年月日)		wii
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(番号)	(图名)	(出願年月日)		Nhż

#### Japanese Language Declaration

(日本語宣言書)

(See attachment for additional attorneys and reg. nos.)

委任状: 包は下記の発明者として、本出額に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。 (弁護士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor. I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark. Office connected therewith (list name and registration number)

Paul J. Esatto, Jr., Reg. No. 30,749

普爾送什先

Send Correspondence to: Paul J. Esatto, Jr. Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, New York 11530

直接電話運絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Paul J. Esatto, Jr. (516) 742-4343

唯一または第一発明者名	Full name of sole or first inventor Akio UCHIYAMA
発明者の署名 日付	inventor's signature Date Oct. 3, 2003
<b>住所</b>	Residence / Saitama-shi, Saitama, Japan
	Citizenship Japan
私 <b>营和</b>	Post Office Address c/o Intellectual Property Department
	Olympus Corporation 2—3, Kuboyama—cho, Hachioji—shi, Tokyo, Japan
<b>第二共同発明者</b>	Fuil name of second joint inventor, if any Akihiro HORII
第二共同発明者 日付	Second inventor's signature  Oct. 4, 2003
住所	Residance Hachioji-shi, Tokyo, Japan
	Citizenship Japan
私書稱	Post Office Address c/o Intellectual Property Department
	Olympus Corporation 2-3, Kuboyama-cho, Hachioji-shi, Tokyo, Japan

(第三以降の共同発明者についても同様に記載し、署名をす。 ステム) (Supply similar information and signature for third and subsequent joint inventors.)

第三共同発明者	Full name of third joint inventor, if any
<u></u>	Shuhei IIZUKA
第三発明者の署名 日付	Third inventor's signature Date Oct. 6 2003
住所	Residence Hachioji-shi, Tokyo, Japan
	Citizenship Japan
私書箱	Post Office Address c/o Intellectual Property Department
	Olympus Corporation 2—3, Kuboyama—cho, Hachioji—shi, Tokyo, Japan
第四共同発明者	Full name of fourth joint inventor, if any Tadashi HIRATA
第四発明者の署名 日付	Fourth inventor's signature Date Sadashi Hirata Oct. 7, 2003
住所	Residence Hachioji-shi, Tokyo, Japan
<b>CSF</b>	Citzenship Japan
私書箱	Post Office Address  c/o Intellectual Property Department
	Olympus Corporation 2—3, Kuboyama—cho, Hachioji—shi, Tokyo, Japan
第五共同発明者	Full name of fifth joint inventor, if any Mitsuhiro HARA
第五発明者の署名 日付	Fifth inventor's signature Date  Mitsuhiso Hara Oct. 6, 2003
住所	Residence Musashino-shi, Tokyo, Japan
<b>国商</b>	Citizenship Japan
私書箱	Post Office Address c/o Intellectual Property Department
	01ympus Corporation 2—3, Kuboyama—cho, Hachioji—shi, Tokyo, Japan
第六共同発明者	Full name of sixth joint inventor, if any Yoshiyuki KUMADA
	1001113 uni Novillon
第六発明者の署名 日付	Sixth inventor's signature Date
第六発明者の署名 日付 住所	Sixth inventor's signature Date  Joshiyukii Kumala Oct. 4, 2003.  Residence
住所	South inventor's signature Date Toshiyuhi Lumala Oct. 4, 2003
	Sixth inventor's signature  Joshiyukii Kumaha ()ct. 4, 2003  Residence  Komae-shi, Tokyo, Japan  Citizenship

第七共同発明者	Full name of seventh joint inventor, if any Kazunari TOKUDA
第七発明者の署名 日付	Seventh inventor's signature Date Oct. 6, 2003
住所	Residence Hachioji-shi, Tokyo, Japan
<b>D</b>	Citizenship Japan
私書籍	Post Office Address c/o Intellectual Property Department
	Olympus Corporation 2—3, Kuboyama—cho, Hachioji—shi, Tokyo, Japan
第八共同免明者	Full name of eighth joint inventor, if any
第八発明者の署名 日 <b>付</b>	Eighth inventor's signature Date
<b>住所</b>	Residence
	Citizenship
<b>私書箱</b>	Post Office Address
第九共同発明者	Full name of ninth joint inventor, if any
第九発明者の署名 日竹	Ninth inventor's signature Date
生所	Residence
<u>J</u>	Citizenship
<b>以春箱</b>	Post Office Address
<b>书</b> 十共同発明者	Full name of tenth joint inventor, if any
8十発明者の署名 <b>日付</b>	Tenth inventor's signature Date
主所	Residence
9 <b>5</b>	Citizenship
<b>公子</b> (1)	Post Office Address

Please type	a plus	sign (+	) inside	lhis	box	<b>-</b>	
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PTO/SB/02C (3-97)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE valid OMB control number.

## **DECLARATION**

#### REGISTERED PRACTITIONER INFORMATION (Supplemental Sheet)

		(Supplemental Sheet)				
Name	Registration Number	Name	Registration Number			
Leopold Presser William C. Roch Kenneth L. King Frank S. DiGiglio John S. Sensny Mark J. Cohen Richard L. Catania Steven Fischman Edward W. Grolz Peter I. Bernstein Thomas Spinelli	19,827 24,972 24,223 31,346 28,757 32,211 32,608 34,594 33,705 43,497 39,533		Humber			
2						

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